

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ,
Plaintiff,
v.
V. TREVINO,
Defendant.

No. 1:21-cv-00104-DAD-BAM (PC)

**ORDER DISMISSING ACTION DUE TO
PLAINTIFF'S FAILURE TO PAY FILING
FEE**

(Doc. No. 21)

Plaintiff Guillermo Trujillo Cruz is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On January 28, 2021, the assigned magistrate judge issued findings and recommendations
21 recommending that plaintiff's application to proceed *in forma pauperis* under 28 U.S.C.
22 § 1915(g) be denied because plaintiff had suffered three or more prior strike dismissals and that
23 he be ordered to pay the required \$402.00 filing fee in order to proceed with this action. (Doc.
24 No. 5.) On April 12, 2021, the undersigned adopted those findings and recommendations, denied
25 plaintiff's motion to proceed *in forma pauperis*, and ordered plaintiff to pay the \$402 filing fee in
26 full within thirty (30) days. (Doc. No. 21.) Plaintiff was cautioned that his failure to comply with
27 that order and pay the required filing fee within the specified time would result in dismissal of
28 this action. (*Id.* at 3.)

1 To date, plaintiff has not paid the required filing fee or requested an extension of time to
2 do so, and the deadline to pay the required filing fee has now passed.

3 Accordingly,

- 4 1. This action is dismissed without prejudice due to plaintiff's failure to pay the
5 required filing fee; and
6 2. The Clerk of the Court is directed to close this case.

7 IT IS SO ORDERED.

8 Dated: May 27, 2021

Dale A. Drayd
9 UNITED STATES DISTRICT JUDGE

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